



Officer Decision Record

1. Subject and details of the matter (to include reasons for the decision)

To seek approval to award the contract for implementation of Pothole Action Fund 2021, following the conclusion of the evaluation process.

2. Is it a Key Decision as defined in the Constitution?

No

3. Details of Decision

The project forms part of the LTP 2021/22 delivery plan. The main project is the carriageway structural patching programme which includes a number of locations across North East Lincolnshire.

A tender was let through NELC's highways frameworks. The award criteria used to evaluate the submissions was cost only, with the award going to the lowest tender value. However, the successful contractor is known to NELC/Engie and they have a sound reputation.

The programmed construction start date is 01 June 2021. The ODR needs to be signed before the winning contractor can be notified, leaving only a small amount of time for the winning contractor to be in a position to mobilise ready for construction to start on site. With the current COVID-19 situation materials and plant may take longer than normal to source.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No.

5. Anticipated outcome(s)

The successful tenderer is EC Surfacing Ltd, tender return value £401,896.69

The contract mobilisation will start upon award of contract and also receipt of a signed contract. Duration of the works will be approx. 3 weeks.

6. Details of any alternative options considered and rejected by the officer when making the decision

Not applicable.

7. Background documents considered

Cabinet Decision Notice 11 March 2021 (LTP Programme approval).

North East Lincolnshire Local Transport Plan Delivery Plan 2021 – 2024.

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No.

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

None.

10. Monitoring Officer Comments (Monitoring Officer or Deputy Monitoring Officer)

The contract award is consistent with the Cabinet decision and LTP delivery plan and has followed an approved framework and compliant tender process.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The cost of the works will be funded through the Local Transport Plan budget, incorporated into the Council's approved Capital Investment Programme.

12. Human Resource Comments (Strategic Workforce Lead or nominee)

There are no direct HR implications

13. Risk Assessment (in accordance with the Report Writing Guide)

There is a significant risk to the Authority that if the contract is not awarded on time the programme of works start date will be delayed and the project will not be delivered on time.

14. Decision Maker(s):

Name: Mark Nearney

Title: Assistant Director of Housing,
Highway and Transport

Signed: Via Email

Dated: 26th April 2021

**15. Consultation carried out with
Portfolio Holder(s):**

Name: Councillor Stewart Swinburn

Title: Portfolio Holder for Environment
and Transport

Signed: Via email

Dated: 26th April 2021

**16. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name: N/A

Title: N/A

Signed: N/A

Dated: N/A

APPENDIX 1 – Copy of email approval

From: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>
Sent: 26 April 2021 16:23
To: Dawn Braithwaite (Engie) <Dawn.Braithwaite@nelincs.gov.uk>
Cc: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>; Holly Hall (Engie) <Holly.Hall@Nelincs.gov.uk>; Alvin Pong (Engie) <Alvin.Pong1@Nelincs.gov.uk>; Jennie Rogers (Engie) <Jennie.Rogers@Nelincs.gov.uk>; Sandra Hullett (NELC) <Sandra.Hullett@nelincs.gov.uk>; Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>
Subject: RE: URGENT - ODR for Pothole Action Fund 2021 (Approval sought)

Thanks Dawn,

This ODR has my approval.

Regards
Stewart

From: Dawn Braithwaite (Engie) <Dawn.Braithwaite@nelincs.gov.uk>
Sent: 26 April 2021 15:30
To: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>
Cc: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>; Holly Hall (Engie) <Holly.Hall@Nelincs.gov.uk>; Alvin Pong (Engie) <Alvin.Pong1@Nelincs.gov.uk>; Jennie Rogers (Engie) <Jennie.Rogers@Nelincs.gov.uk>; Sandra Hullett (NELC) <Sandra.Hullett@nelincs.gov.uk>; Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>
Subject: FW: URGENT - ODR for Pothole Action Fund 2021 (Approval sought)

Dear Cllr Swinburn,

I am writing confirming your conversation this afternoon, please find the ODR Pothole Action Fund 2021 which requires your approval.

To ensure we have an audit trail, as per Mark's instructions below, would you please confirm your approval, to enable this to be forwarded on to Democratic Services.

Kind regards,

Dawn

Dawn Braithwaite

Secretarial Assistant – Head of Highways & Transport

ENGIE

Places & Communities North – NEL

Dawn.Braithwaite@nelincs.gov.uk

Tel. +44 (0) 1472 324312

engie.co.uk

New Oxford House, George Street, Grimsby, North East Lincolnshire, DN31 1HB

From: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>

Sent: 26 April 2021 10:31

To: Dawn Braithwaite (Engie) <Dawn.Braithwaite@nelincs.gov.uk>

Cc: Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>; Holly Hall (Engie) <Holly.Hall@Nelincs.gov.uk>

Subject: RE: URGENT - ODR for Pothole Action Fund 2021

Approved.

Once Cllr has reviewed/approved, you will need to send approval emails to Dem Services as evidence.

Ta

Mark Nearney, Assistant Director of Housing, Highways and Planning

North East Lincolnshire Council

Municipal Offices , Town Hall Square, Grimsby, DN31 1HU

Tel: 01472 324122 Mobile: 07826 344556

Email: Mark.Nearney@nelincs.gov.uk /www.nelincs.gov.uk

Stay alert. Control the virus. Save lives.

From: Dawn Braithwaite (Engie) <Dawn.Braithwaite@nelincs.gov.uk>

Sent: 26 April 2021 10:30

To: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>

Cc: Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>; Holly Hall (Engie) <Holly.Hall@Nelincs.gov.uk>

Subject: FW: URGENT - ODR for Pothole Action Fund 2021

Morning Mark,

Please could you sign the attached, with your agreement I will place this on this afternoon's PfH Catch Up Agenda.

thanks,

Dawn

Dawn Braithwaite

Secretarial Assistant – Head of Highways & Transport

ENGIE

Places & Communities North – NEL

Dawn.Braithwaite@nelincs.gov.uk

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